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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
FOR

: MTD PRODUCTS INC

: A VARIABLE SPEED
MECHANISM AND
METHOD FOR
CONTROLLING THE SPEED
OF AN ASSOCIATED
VEHICLE

SERIAL NO.

: 09/578,521

FILED:

: May 24, 2000

EXAMINER

: T. Hannon

ART UNIT

: 3682

LAST OFFICE ACTION

: January 4, 2001

ATTORNEY DOCKET NO.

: 0267.0605

Akron, Ohio 44308-1136
March 30, 2001

CERTIFICATE OF MAILING

I hereby certify that this **SUPPLEMENTAL REISSUE APPLICATION DECLARATION** BY THE ASSIGNEE is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on this 30 day of March, 2001.

By Janet E. Sigler
Janet E. Sigler

SUPPLEMENTAL REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Commissioner of Patents
and Trademarks
Washington, DC 20231

Reissue Application Declaration By the Assignee

I hereby declare that:

My residence, post office address, and citizenship are stated below next to my name. I am authorized to act on behalf of the following company: MTD Products Inc and the title of my position with said company is: Vice President of Product Development and Engineering.

The entire title to the patent identified below is vested in said company, as shown in the Assignment document at Reel 8263, Frame 0374. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application arose without any deceptive intention on the part of the applicant.

Name of Patentee(s): Michael Kamm

Patent Number: 5,803,847

Date Patent Issued: September 8, 1998

Title of Invention: A Variable Speed Mechanism and Method for Controlling the Speed of an Associated Lawn Apparatus

I believe said patentee(s) to be the original, first and sole or joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled: A Variable Speed Mechanism and Method for Controlling the Speed of an Associated Lawn Apparatus the specification of which

X is attached hereto.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

 by reason of a defective specification or drawing.

X by reason of the patentee claiming more or less than he had the right to claim in the patent.

 by reason of other errors.

At least one error upon which reissue is based is described as follows:

In light of Jones et al, the issued claims may be broader than the patentee has a right to.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s) _____ Registration Number _____

Roger D. Emerson 33,169

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Mark J. Carpenter

Nick Cashier, Vice President of Product Development and Engineering

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NOVELTY CH 44072

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